



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/776,163

02/02/2001

Ronald J. Loftus

42059-01140

9626

20350

7590

10/18/2006

TOWNSEND AND TOWNSEND AND CREW, LLP  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

EXAMINER

MILLS, DONALD L

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

5

<b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b>	<b>Application No.</b> 09/776,163	<b>Applicant(s)</b> LOFTUS, RONALD J.	
	<b>Examiner</b> Donald L. Mills	<b>Art Unit</b> 2616	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 25 September 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
 (b) ☐ They raise the issue of new matter (see NOTE below);  
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
 5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
 6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
 7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
 The status of the claim(s) is (or will be) as follows:  
 Claim(s) allowed: \_\_\_\_\_.  
 Claim(s) objected to: \_\_\_\_\_.  
 Claim(s) rejected: 1-10, 19 and 20.  
 Claim(s) withdrawn from consideration: \_\_\_\_\_.

#### AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s) SEEMA S. RAO *Seema S. Rao*  
 13. ☐ Other: \_\_\_\_\_

SUPERVISORY PATENT EXAMINER  
 TECHNOLOGY CENTER 2600

10/16/06

Art Unit: 2616

Continuation of 11. NOTE:

The Applicant's amendment of claim 1 merely corrects a typographical error; therefore, all claims remain rejected as set forth in the Office Action mailed 20 June 2006.

Rejection Under 35 USC 112

On page 6 of the remarks, regarding claims 1, 19, and 20, the Applicant argues the claim recites a communication apparatus that connects to the SS7 network, not a communication apparatus within the SS7 network in regards to the limitation specifying *at least one B-link is used in place of a larger number of A-links* (For example, see claim 1, lines 5-6.) This particular limitation of claim specifies, "a pair of STPs connected to another STP via at least one B-link." It is well-known in the art that B-links, bridge links, interconnect mated pairs of STPs in either the same or different level of hierarchy while A-links, access links, interconnect an STP to either an SSP or an SCP. Since, an A-link would not be used to interconnect a pair of STPs the intended meaning of replacing supposed A-links that interconnect STPs with B-links is unclear from the context of the claim. The Applicant infers that "communication apparatus" is not within the SS7 network and instead a terminal endpoint. This inference is not relevant to the argued limitation since the claim merely recites two STPs connected via a B-link. If the Applicant wishes to underscore the "communication apparatus's" relationship to the STPs, then the Applicant should claim such a relationship. Otherwise, the claim merely states two STPs connected by a B-link in place of a larger number of A-links. This limitation is not consistent with the SS7 protocol since A-links are not utilized to interconnect two STPs. Therefore, the claim is indefinite since one would not replace non-existent A-links with a single B-link.

Rejection Under 35 USC 103

Art Unit: 2616

On page 7 of the remarks, regarding claims 1, 19, and 20, the Applicant argues that Baxley does not teach *a media gateways, each with its own point code*. The Examiner respectfully disagrees. Baxley teaches a media gateway with its own point code as Conference System 100 which utilizes SCP 72 that connects to SS7 network 60, comprising STP pairs, and Media Gateway 90, comprising a logical address (point code) (See column 4, lines 6-8 and 15-17.) Therefore, Baxley teaches *a media gateways, each with its own point code*.

In addition, on page 7 of the remarks, regarding claims 1, 19, and 20, the Applicant argues that Baxley does not teach *at least one switch that aggregates signaling control connectable to the at least one pair of STPs*. The Examiner respectfully disagrees. Baxley teaches CACS 170 controls signals for voice received by the Media Gateway 90 from the SS7 network according to the SS7 signals communicated by the STP pairs for audio conferencing switching between GSTN endpoint 30 and packet-based endpoint 120 (aggregating signaling control) which converts circuit-switched data to packet-switched data and vice-versa for session between the two endpoints (See column 4, lines 11-16 and 36-66.) The Examiner respectfully reminds that the Applicant that limitations from the specification are not read into the claims and the claims are interpreted in their broadest, reasonable and literal interpretation. Should the Applicant intend a specific meaning to the limitation, the claims should be amended to reflect such an intent. Therefore, Baxley teaches *at least one switch that aggregates signaling control connectable to the at least one pair of STPs*.